

Message Text

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ACTION SCS-06

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FM AMEMBASSY MEXICO
TO SECSTATE WASHDC PRIORITY 9113

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FOR CA AND CA/SCS ONLY

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TAGS: CRPS
SUBJECT: ANNUAL MEETING OF THE NATIONAL AUTOMOBILE THEFT
BUREAU

REF: STATE 72522

1. EMBASSY APPRECIATES INVITATION EXTENDED BY NATIONAL
AUTOMOBILE THEFT BUREAU (NATB) TO ATTEND MARCH 28 MEETING
IN CHICAGO BUT WILL HAVE TO FOREGO SENDING A REPRESENTATIVE
DUE TO INADEQUATE ADVANCE NOTICE AND COST CONSIDERATIONS.

2. CONSULAR OFFICERS HAVE MET WITH MEXICAN REPRESENTATIVE
OF THE NATB AND OUR COLLECTIVE BEST ESTIMATE IS THAT
APPROXIMATELY ONE-THOUSAND VEHICLES A MONTH ARE STOLEN IN
THE UNITED STATES AND BROUGHT TO MEXICO. DURING THE LAST
SIX MONTHS, THEREFORE, THE TOTAL IS ESTIMATED TO BE
BETWEEN FIVE AND SIX THOUSAND TRUCKS AND AUTOMOBILES. EXACT

3. THE DEGREE OF COOPERATION RECEIVED BY THE
EMBASSY FROM GOM AGENCIES IS NOT UNIFORM. IT VARIES FROM
EXCELLENT ON THE PART OF THE OFFICE OF THE ATTORNEY
GENERAL TO ALMOST NON-EXISTENT ON THE PART OF WHATEVER
LOCAL OFFICIALS IN THE REMOTER AREAS OF MEXICO
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HAPPEN TO IDENTIFY AND TAKE CUSTODY OF A STOLEN VEHICLE.
A DISCUSSION OF VARIOUS LEVELS OF COOPERATION FOLLOWS.

4. DUE TO THE EXCELLENT COOPERATION OF THE ATTORNEY
GENERAL OF MEXICO, THE EMBASSY HAS BEEN ABLE TO WORK OUT
AN AGREEMENT WHEREBY HIS OFFICE WILL TURN OVER TO THE
EMBASSY THOSE VEHICLES WHICH COME INTO THE CUSTODY OF HIS

OFFICE AND WHICH ARE IDENTIFIABLE AS HAVING BEEN STOLEN IN THE U.S. THIS INCLUDES THOSE VEHICLES SEIZED BY THE MEXICAN FEDERAL JUDICIAL POLICE AND DELIVERED INTO THE CUSTODY OF THE MEXICAN FEDERAL DISTRICT ATTORNEYS (AGENTES DE MINISTERIO PUBLICO) LOCATED THROUGHOUT MEXICO. THIS PROCEDURE CONTINUES TO WORK SMOOTHLY AND WITHOUT DELAYS, BUT IS COMPLETELY DEPENDENT ON THE CONTINUED COOPERATION OF THE ATTORNEY GENERAL AND THE AGENCIES WHICH FALL UNDER HIS DIRECTION.

5. GENERALLY GOOD AND EFFECTIVE WORKING RELATIONSHIPS ALSO EXIST BETWEEN LOCAL MEXICAN AND AMERICAN OFFICIALS IN BORDER BORDER AREAS. AS A RESULT, INFORMATION CONCERNING STOLEN VEHICLES IS READILY EXCHANGED WITHOUT INHIBITING BUREAUCRATIC DELAYS AND ARRANGEMENTS CAN OFTEN BE MADE WITH THE LOCAL MEXICAN OFFICIALS HAVING CUSTODY TO RETURN THE VEHICLES DIRECTLY TO THE OWNERS OR THE INTERESTED INSURANCE COMPANIES.

6. VEHICLES WHICH DO NOT FALL UNDER THE AUTHORITY OF THE ATTORNEY GENERAL'S OFFICE OR WHOSE RELEASE CANNOT BE ARRANGED AT THE LOCAL LEVEL CAN ONLY BE CLAIMED UNDER THE 1936 U.S. - MEXICAN CONVENTION ON THE RETURN OF STOLEN VEHICLES. THESE VEHICLES ARE USUALLY UNDER THE CONTROL OF MEXICAN CUSTOMS OFFICIALS OR IN THE CUSTODY OF THE LOCAL OFFICES OF THE FEDERAL REGISTRO DE AUTOMOVILES (FRA) LIMITED OFFICIAL USE

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SCATTERED THROUGHOUT THE COUNTRY. BOTH OF THESE AGENCIES ARE UNDER THE DIRECTION OF THE MINISTRY OF THE TREASURY. THE EMBASSY HAS NOT BEEN ABLE TO ACHIEVE A WORKING AGREEMENT WITH THE TREASURY SIMILAR TO THAT IN EFFECT WITH THE ATTORNEY GENERAL'S OFFICE. BECAUSE THE TREASURY REQUIRES THAT ALL STOLEN VEHICLES IN THE CUSTODY OF OF THE MEXICAN CUSTOMS SERVICE OR THE FRA LOCAL OFFICES BE RETURNED ACCORDING TO THE EXACT LETTER OF THE 1936 CONVENTION, IT COULD BE ARGUED THAT THE TREASURY IS NOT BEING AS COOPERATIVE AS IT COULD BE. THE OVERALL EFFECT IS TO REDUCE THE NUMBER OF VEHICLES RETURNED TO A CRAWL, FOR IT TAKES A MINIMUM OF SIX TO EIGHT MONTHS , AND OFTEN MORE, TO PROCESS THE CONSIDERABLE DOCUMENTATION THROUGH THE MEXICAN BUREAUCRACY. IN THIS CONNECTION, BUREAUCRATIC INEFFICIENCY, ENTRENCHED LOCAL PRACTICES, AND THE LACK OF A MODERN DATA COLLECTION, DISSEMINATION AND RETRIEVAL SYSTEM ALL PLAY A PART AND WILL BE COMMENTED ON IN SUCCEEDING PARAGRAPHS.

7. THE MEXICAN AUTHORITIES IN HEADQUARTER OFFICES IN MEXICO CITY ARE GENERALLY COOPERATIVE IN OBTAINING CONFIRMATION THAT ONE OF THEIR LOCAL OFFICES HAS A STOLEN VEHICLE IN ITS CUSTODY PROVIDING THE EMBASSY IS ABLE TO

TELL THEM WHERE IT IS LOCATED AND WHAT LOCAL MEXICAN AGENCY IS INVOLVED. FOR EXAMPLE, IT MAY TAKE MONTHS, IF EVER, BEFORE THE MEXICO CITY OFFICE OF THE FRA IS NOTIFIED OF THE LOCATION AND DESCRIPTION OF VEHICLES CONFISCATED OR OTHERWISE ACQUIRED BY ITS OWN LOCAL OFFICES. THE EMBASSY, THEREFORE, HAS TO DEPEND ON INFORMATION BEING SUPPLIED BY THE INTERESTED INSURANCE COMPANY, THE MEXICO

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CITY OFFICE OF THE NATB, OR IN CASES INVOLVING THE ARREST OF AMERICAN CITIZENS, BY THE ARRESTING MEXICAN AUTHORITIES. FORTUNATELY, THE NATB HAS GOOD CONTACTS WITH MEXICAN POLICE AUTHORITIES AND COOPERATES FULLY WITH THE EMBASSY.

8. ANOTHER PROBLEM ENCOUNTERED, BUT WHICH IS DIFFICULT TO DOCUMENT OR AIR PUBLICLY, IS THAT THE "NEGOTIATIONS" FOR THE RETURN OF STOLEN VEHICLES HAS TRADITIONALLY BEEN A LUCRATIVE SOURCE OF INCOME FOR MANY MEXICAN OFFICIALS. A "FEE FOR SERVICES RENDERED" HAS OFTEN ENSURED THE RAPID CUSTODY FOR MONTHS OR YEARS. LACK OF ACTION TAKEN, RETURN OF A VEHICLE THAT MIGHT OTHERWISE HAVE REMAINED IN CUSTODY FOR MONTHS - OR YEARS. VEHICLES THAT ARE ESPECIALLY LUXURIOUS OR OTHERWISE DESIRABLE HAVE OFTEN BEEN USED BY THE LOCAL OFFICIALS THEMSELVES, OR GIVEN AS GIFTS TO OTHER INFLUENTIAL GOVERNMENT FIGURES. THESE PROBLEMS ARE RECOGNIZED BY HIGHER-LEVEL MEXICAN GOVERNMENT OFFICIALS. ONE REASON FOR THE ATTORNEY GENERAL'S COOPERATION WITH THE EMBASSY IN THIS AREA IS TO REDUCE A SOURCE FOR CORRUPTION ON THE PART OF LOCAL OFFICIALS. HOWEVER, IT IS DIFFICULT TO QUICKLY ELIMINATE A SYSTEM WHICH HAS BECOME ENTRENCHED OVER A PERIOD OF YEARS ESPECIALLY IF MANY U.S. OWNERS OR INSURANCE COMPANIES

ENCOURAGE SUCH LOCAL PRACTICES BY BEING WILLING TO PAY
LOCAL MEXICAN OFFICIALS TO GET A VEHICLE BACK IMMEDIATELY
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AND AVOID THE DELAYS OF MONTHS OR YEARS WHICH
WOULD RESULT BY GOING THROUGH FORMAL CHANNELS.

9. ANOTHER AREA FOR IMPROVEMENT IS THE DATA COLLECTION
SYSTEM USED BY GOM AGENCIES. A MODERN COMPUTERIZED
DATA COLLECTION, DESSEMINATION AND RETRIEVAL
SYSTEM FOR STOLEN VEHICLES SHOULD IMPROVE THE PERFORMANCE
OF GOM AGENCIES IN THIS AREA. IT APPEARS THAT THE GOM HAS
RECOGNIZED THIS PROBLEM, FOR WE HAVE BEEN TOLD BY AN FRA
OFFICIAL THAT HIS AGENCY IS CURRENTLY IN THE PROCESS OF
INSTALLING COMPUTER TERMINALS AT ALL BORDER CROSSING
POINTS. WHEN THE SYSTEM IS COMPLETED, IT WILL PROVIDE
THE FRA WITH A COMPUTERIZED RECORD OF ALL VEHICLES ENTER-
ING MEXICO. ONE MAJOR POINT OF COOPERATION WHICH SHOULD
BE PURSUED IS THAT OF INTEGRATING THE
MEXICAN COMPUTER SYSTEM WITH THOSE MAINTAINED ON STOLEN
VEHICLES IN THE U.S. BY THE NATB AND THE NCIC. IF DONE
PROPERLY, SUCH AN INTEGRATED SYSTEM COULD VIRTUALLY CLOSE
THE BORDER TO ALL VEHICLES REPORTED STOLEN IN THE U.S.
THIS DEPENDS, OF COURSE, ON HOW FAST THE MEXICAN GOVERN-
MENT MOVES IN COMPLETING THE COMPUTERIZATION OF THEIR
TEMPORARY IMPORT RECORDS, HOW RELIABLE AND CONSISTENT THEY
WILL BE IN USING THE SYSTEM FOR ITS DESIGNED PURPOSE, AND
WHETHER ACCESS TO U.S. SYSTEMS CAN BE WORKED OUT.

10. THE EMBASSY RECOMMENDS THAT THE INTEGRATION OF
AMERICAN AND MEXICAN COMPUTER SYSTEMS USED IN TRACKING
STOLEN VEHICLES IS A SUBJECT WHICH COULD BE USEFULLY
DISCUSSED AT THE NATB MEETING. LUCEY

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